

Judge Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID MENDOZA,

Defendant.

NO. CR06-466TSZ

MOTION TO STRIKE AS MOOT
MOTION FOR DEPOSITION

Comes now the United States of America, by and through Jeffrey C. Sullivan,
United States Attorney for the Western District of Washington, and Susan M. Roe,
Assistant United States Attorney, and moves to strike as moot the government's prior
motion to take a deposition of a Material Witness, Docket # 33. The motion is moot as
the defendant, David Mendoza, has entered a guilty plea and the government no longer
needs to perpetuate the testimony of this witness for trial.

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1 DATED this 23rd day of July, 2009.

2 Respectfully submitted,

3 JEFFREY C. SULLIVAN
4 United States Attorney

5 s/ Susan M. Roe
6 SUSAN M. ROE
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CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2009 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant(s). I hereby certify that I have served the attorney(s) of record for the defendant(s) that are non CM/ECF participants via telefax.

s/Lindsay Erickson
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